

Southern Estuaries Coastal Management Program Reference Group

The Southern Estuaries Coastal Management Program Reference Group was established by the resolution of MidCoast Council on

Background

The Southern Estuaries and their Catchments are some of the greatest assets in the MidCoast, they are vital to the local economy providing social and cultural values that benefit the people that live, visit and work in the region (see map in Attachment 1). The ecological health of the Southern Estuaries is under pressure as a result of both past and present land management practices and climate change. The Southern Estuaries Coastal Management Program (Southern Estuaries CMP) is being developed to provide strategic direction for future management of the Southern Estuaries and their catchments. The Southern Estuaries CMP will ultimately guide the integrated management of our estuaries and catchments to respond to present and evolving challenges. It will protect and enhance the ecological health of the Southern estuaries and catchments and in doing so support the social, cultural, and economic values of the region.

It is a NSW Government requirement that Councils develop Coastal Management Programs and the Southern Estuaries CMP is being developed in line with the Coastal Management Act 2016. Coastal Management Programs are required to:

- identify and fill gaps in knowledge,
- identify existing and potential risks,
- develop actions for managing or reducing these risks in an integrated and strategic manner and,
- outline the costs and arrangements for cost sharing of the proposed actions.

Stakeholder engagement is a requirement of the Coastal Management Act, and the Southern Estuaries CMP has a multidimensional engagement strategy. The Southern Estuaries Coastal Management Program Reference Group is one of the ways that Council will seek input on the actions to include in the Southern Estuaries CMP.

There are five stages identified for Coastal Management Programs, these include:

Stage 1: Identify the scope of a CMP

Stage 2: Determine risks, vulnerabilities and opportunities

Stage 3: Identify and evaluate options

Stage 4: Prepare, exhibit, finalise, certify and adopt the ECMP

Stage 5: Implement the plan; monitor, evaluate and report

Purpose

The Southern Estuaries Coastal Management Program Reference Group will provide strategic stakeholder input to the development of the Southern Estuaries Coastal Management Program from Stage 2 to Stage 4 of program development. The Southern Estuaries CMP will develop strategies for a healthy catchment and estuary that will support the social, economic, cultural, and environmental values of its people.

The issues that the Southern Estuaries CMP and therefore the Reference Group will focus on include but are not limited to:

- Catchment and agricultural runoff and urban diffuse source pollution
- Degradation of riparian areas, existing native vegetation within the catchment and wetlands
- Impacts of climate change on inundation and catchment and estuary health
- Impacts of development, tourism, and user group conflict

Key tasks

The Southern Estuaries CMP Reference Group will work together to understand key issues and formulate management actions to include in the Plan. The group has been established to:

- provide local knowledge and strategic stakeholder input throughout the development of the Southern Estuaries CMP
- assist Council to reach out to the wider community and champion the development of the Southern Estuaries CMP
- provide advice to Council on the adequacy of the plan prior to exhibition and adoption
- ensure that the Southern Estuaries CMP will be aligned with the strategic objectives of each organisation (where relevant) in order to achieve plan certification and gazettal.

Roles & responsibilities

Membership

The membership of the Reference Group shall comprise:

- up to two (2) Councillors
- up to six (6) representatives from key public authorities who represent the major public land or asset owners within this CMP area who have the expertise, ability, and responsibility to influence the management of the Southern Estuaries CMP
- up to two (2) representatives from Traditional owners within the project area
- one (1) representative from the Oyster Industry
- two (2) rural representatives from the Dairy/ Beef/ Poultry industries
- one (1) professional from the fishing industry
- one (1) representative with a boating or recreational fishing interest
- two (2) general community members within the project area
- one (1) member representing Landcare
- staff representatives from Council's Natural Systems and Transport Assets team and representatives from other teams (by invitation).

Additional Membership

Up to two (3) additional persons may be nominated for this Reference Group if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Reference Group.

From time to time, other people who have a clearly defined interest in topics being discussed by the Group may be invited to the meetings to contribute to discussions.

A member's appointment may be ended on the basis of one of the following:

- resignation of a member
- regular non-attendance at meetings (note: members shall be considered to have vacated their position if they have been absent from three meetings without an apology)
- failure to respect the protocols and confidentiality requirements (set out below)

Criteria for industry and community membership

- possess local knowledge and understanding of the Southern Estuaries Catchment and/or Estuary
- possess community networks and linkages in the area of land management and catchment management
- a demonstrated interest in addressing the issues that will be covered in this plan
- current involvement in one of the industries or interest groups nominated in these terms of reference (situated in the Southern Estuaries)
- an ability to look beyond personal interests and focus on social and environmental benefits for the community and residents of the Southern Estuaries
- an ability and willingness to encourage participation from, and provide feedback to the industry or community regarding the development of the Southern Estuaries CMP
- an ability to constructively participate in an advisory capacity
- willingness and ability to actively participate in meetings for the required duration in a fair, constructive, and unbiased manner that will be of benefit to the MidCoast Community

Chairperson

The nominated Councillor shall chair the Reference Group. If the nominated Councillor is not available the replacement Chair shall be the alternate Councillor, or if unavailable, the staff representative as required.

Committee members

Positions for representatives from key public authorities will be filled on nomination by the respective organisations.

The members will be appointed by Council following a publicly advertised process. Members will bring diverse knowledge, skills, experience and;

- Aged 18 years or over, or, if aged under 18 years old, have parent/guardian's permission to participate;
- Currently residing, studying, working or volunteering within the MidCoast Council local government area;
- Demonstrate a commitment to advancing community inclusion and wellbeing across the MidCoast local government area;

- Demonstrate a willingness and ability to actively participate in reference group activities for the required duration in a fair, constructive, and unbiased manner for the benefit of the MidCoast community.

A nomination form must be completed by interested representatives from the community or industry groups, and all nominations will be assessed against their stated knowledge, experience, skills, and responses to the criteria relevant to the Southern Estuaries CMP Reference Group.

Members may determine to work in subgroups (Working Groups) for specific projects. In this case Working Group chairs shall be appointed by the members.

Council support

To enable the Reference Group to operate effectively Council staff shall provide:

- any material and draft documents to undertake tasks / projects and an opportunity for discussion at meetings (as agenda items)
- regular updates relevant to the Reference Group's purpose
- expert advice from the different areas of Council, as required
- open and transparent communications on Southern Estuaries issues
- secretariat services and venues for meetings

Dissolution

The Southern Estuaries CMP Reference Group will cease at the completion of the Southern Estuaries CMP development (Stage 4).

Council may determine to dissolve the Southern Estuaries CMP Reference Group. This may be initiated for the following reasons:

- the Southern Estuaries CMP Reference Group has achieved its purpose for establishment
- the Southern Estuaries CMP Reference Group has become unproductive
- the Southern Estuaries CMP Reference Group can no longer maintain membership in line with its terms of reference
- Council has determined the Southern Estuaries CMP Reference Group no longer services the priorities and/or core business of Council
- Legislation has changed the roles and responsibilities of Council.

Commitments

Confidentiality

From time to time, members may be required to review and comment on draft documentation that has not been formally considered by the Council's decision-making body.

In these circumstances, it is crucial members understand the status of any documentation and the importance of maintaining confidentiality if they wish to have preliminary input. Discussion may also take place on matters subject to State or Federal Government protocols that need to be adhered to. Members may also be privy to financial, legal, or personal information, which cannot be disclosed outside of the group. Each member is required to agree to the confidentiality requirements of the membership.

Meetings

The Reference Group shall meet at key project stages to align with the project needs including but not limited to:

- Values and vision
- Issues and risk identification
- Management options identification

Meetings will be arranged with a minimum of 2 weeks' notice for a maximum of 4 hours, at a location nominated by Council.

A quorum for attendance shall be a minimum of half of the membership plus one. A Council staff member should be present for each meeting.

The following meeting protocols shall apply:

- members shall respect the role of the Chair in the conduct of the meetings
- members shall respect the right of every members to speak and put forward their views
- members shall respect the Chair's decisions (if a consensus is not able to be reached) in relation to agenda items and timeframes
- meetings are generally run through consensus, however, should the need arise for a vote, only the Councillors and community members shall participate (i.e., Council staff are not to participate in any voting), having one vote each. Where there is an opposing view, the members can choose to have their name recorded in the minutes stating their position.
- agenda and supporting documentation will be distributed electronically (by email) at least five working days prior to the meeting date
- minutes, providing an overview of discussions and actions to be progressed, shall be taken at each meeting, and made available to members within two weeks of the meeting. Minutes will be maintained electronically and distributed to members via email. Minutes shall be made publicly available on Council's website; however, it is recognised that confidential items are not be made public.

Where possible, members shall be notified in advance of any confidential items.

Limitations

While the Southern Estuaries CMP Reference Group may provide guidance to Council on key issues such as corporate policy and objectives, marketing strategy, resource allocation, and decisions, the Reference Group may not:

- on Council's behalf agree to any acquisitions of land
- incur expenditure by Council
- make any payment to members of the Reference Group
- accept public liability risk from another organisation
- make grant applications dependent on or committing Council to expenditure, either initial or ongoing
- bind Council
- become involved in the day-to-day operations of Council activities

Code of conduct & Conflict of interest

All members are required to comply with Council's Code of Conduct (copy attached to this document) and participate in Code of Conduct training and an induction provided by Council. In accordance with the Code, a member of the Reference Group who has a financial, commercial, or economic interest in any matter before the group must disclose the nature of the interest to the meeting and must leave the meeting while the matter is being considered.

Contact with the media

Media enquiries relating to the work or operation of the group are to be referred to and managed by Council's Communications team. Media statements cannot be made by members of the group.

Where a member considers that there needs to be a media comment in relation to any items discussed by the group, the member must bring the matter to the attention of the Council staff representative.

Review

An annual summary report, which captures the actions of the group, is to be provided each year for inclusion in Council's Annual Report. Additional reports to Council may also be necessary when key milestones are reached or to progress elements of a specific project or specific recommendations to Council.

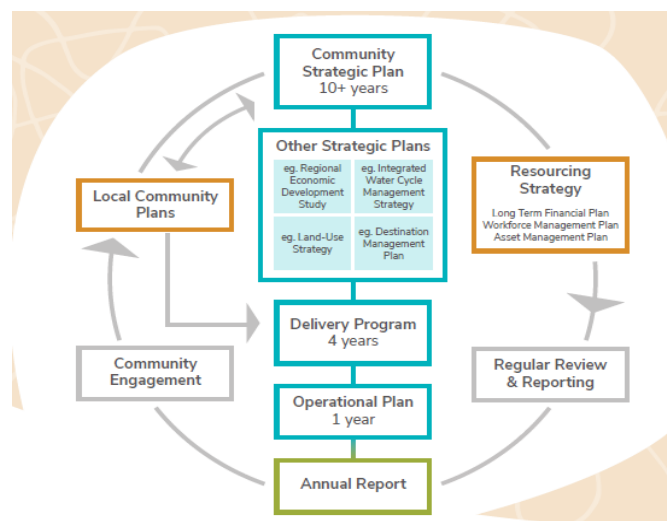
The membership and these Terms of Reference are to be reviewed at the end of the Council term, within three months of the Council election.

Governance

Integrated planning & reporting requirements of Local Government

The scope of work for the Southern Estuaries CMP Reference Group is focused on protecting and promoting the health of the Southern Estuaries. This aligns with the Integrated Planning & Reporting Framework (shown below and outlined in the Local Government Act). All of the activities of the group need to align with the outcomes in the Community Strategic Plan and subsequent endorsed Council strategies.

Integrated Planning and Reporting Framework



Attachments

1. Map of the Southern Estuaries project area
2. MidCoast Council Code of Conduct – available online in the Policies library [Policies Library - MidCoast Council \(nsw.gov.au\)](https://www.midcoast.nsw.gov.au/policies-library)

Attachment 1

Map of Southern Estuaries project area

